

on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate—

“(A) a list of all applications determined to be eligible for a grant by the Secretary;

“(B) the quality ratings assigned to each application pursuant to subsection (i);

“(C) a list of applications that received final consideration by the Secretary to receive an award under this section;

“(D) each application proposed to be selected for a grant award;

“(E) proposed grant amounts, including for each new multiyear grant agreement, the proposed payout schedule for the project; and

“(F) an analysis of the impacts of any large projects proposed to be selected on existing commitments and anticipated funding levels for the next 4 fiscal years, based on information available to the Secretary at the time of the report.

“(2) COMMITTEE REVIEW.—Before the last day of the 60-day period described in paragraph (1), each Committee described in paragraph (1) shall review the Secretary's list of proposed projects.

“(3) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).

“(q) TRANSPARENCY.—

“(1) IN GENERAL.—Not later than 30 days after awarding a grant for a project under this section, the Secretary shall send to all applicants, and publish on the website of the Department of Transportation—

“(A) a summary of each application made to the program for the grant application period; and

“(B) the evaluation and justification for the project selection, including ratings assigned to all applications and a list of applications that received final consideration by the Secretary to receive an award under this section, for the grant application period.

“(2) BRIEFING.—The Secretary shall provide, at the request of a grant applicant under this section, the opportunity to receive a briefing to explain any reasons the grant applicant was not awarded a grant.

“(r) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means—

“(1) a State or a group of States;

“(2) a unit of local government, including a metropolitan planning organization, or a group of local governments;

“(3) a political subdivision of a State or local government;

“(4) a special purpose district or public authority with a transportation function, including a port authority;

“(5) an Indian Tribe or Tribal organization;

“(6) a Federal agency eligible to receive funds under section 201, 203, or 204, including the Corps of Engineers, Bureau of Reclamation, and the Bureau of Land Management, that applies jointly with a State or group of States;

“(7) a territory; and

“(8) a multistate or multijurisdictional group of entities described in this subsection.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 117 and inserting the following:

“117. Projects of national and regional significance.”.

On page 586, lines 8 and 9, strike “, including multimodal freight grants established under section 117 of title 23”.

On page 2625, lines 19 and 20, strike “the nationally significant freight and highways projects under section 117” and insert “projects of national and regional significance under section 117”.

On page 2656, line 25, strike “Nationally Significant Freight and Highway Projects” and insert “projects of national and regional significance”.

SA 2368. Ms. WARREN (for herself, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, strike line 17 and insert the following:

“(t) PROJECTS IN FLOOD-PRONE AREAS.—For projects and actions that, in whole or in part, encroach within the limits of a flood-prone area, the Secretary shall ensure that such projects and actions are—

“(1) designed and constructed in a way that takes into account, and mitigates where appropriate, flood risk by using hydrologic, hydraulic, and hydrodynamic data, methods, and analysis that integrate current and projected changes in flooding based on scientific forecasts over the anticipated service life of the asset and future forecasted land use changes; and

“(2) designed using analysis that considers the capital costs, risks, and other economic, engineering, social and environmental concerns of constructing a project in a flood-prone area.”.

SA 2369. Mr. BOOKER (for himself, Mr. MARKEY, and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 3. TRANSIT TO TRAILS GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY OF COLOR.—The term “community of color” means a geographically distinct area in which the population of any of the following categories of individuals is higher than the average population of that category for the State in which the community is located:

- (A) Black.
- (B) African American.
- (C) Asian.
- (D) Pacific Islander.
- (E) Other non-White race.
- (F) Hispanic.
- (G) Latino.

(2) CRITICALLY UNDERSERVED COMMUNITY.—The term “critically underserved community” means—

(A) a community that can demonstrate to the Secretary that the community has inadequate, insufficient, or no park space or recreation facilities, including by demonstrating—

(i) quality concerns relating to the available park space or recreation facilities;

(ii) the presence of recreational facilities that do not serve the needs of the community; or

(iii) the inequitable distribution of park space for high-need populations, based on income, age, or other measures of vulnerability and need;

(B) a community in which at least 50 percent of the population is not located within ½ mile of park space;

(C) an environmental justice community; and

(D) any other community that the Secretary determines to be appropriate.

(3) DISPROPORTIONATE BURDEN OF ADVERSE HUMAN HEALTH OR ENVIRONMENTAL EFFECTS.—The term “disproportionate burden of adverse human health or environmental effects” means a situation where there exists higher or more adverse human health or environmental effects on communities of color, low-income communities, and Tribal and Indigenous communities.

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State;

(B) a political subdivision of a State (including a city or a county) that represents or otherwise serves an urban area or a rural area;

(C) a special purpose district (including a park district);

(D) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that represents or otherwise serves an urban area or a rural area; or

(E) a metropolitan planning organization (as defined in section 134(b) of title 23, United States Code).

(5) ENVIRONMENTAL JUSTICE COMMUNITY.—The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and Indigenous communities that experience, or is at risk of experiencing, a disproportionate burden of adverse human health or environmental effects.

(6) LOW-INCOME COMMUNITY.—The term “low-income community” means any census block group in which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(7) PROGRAM.—The term “program” means the Transit to Trails Grant Program established under subsection (b)(1).

(8) RURAL AREA.—The term “rural area” means a community that is not an urban area.

(9) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(10) TRANSPORTATION CONNECTOR.—

(A) IN GENERAL.—The term “transportation connector” means a system that—

(i) connects 2 zip codes or communities within a 175-mile radius of a designated service area; and

(ii) offers rides available to the public.

(B) INCLUSIONS.—The term “transportation connector” includes microtransits, bus lines, bus rails, light rail, rapid transits, or personal rapid transits.

(11) URBAN AREA.—The term “urban area” means a community that—

- (A) is densely developed;
- (B) has residential, commercial, and other nonresidential areas; and
- (C)(i) is an urbanized area with a population of 50,000 or more; or
- (ii) is an urban cluster with a population of—

- (I) not less than 2,500; and
- (II) not more than 50,000.

(b) GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a grant program, to be known as the “Transit to Trails Grant Program”, under which the Secretary shall award grants to eligible entities for—

(A) projects that develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal or non-Federal public land, inland and coastal waters, parkland, or monuments; or

(B) projects that facilitate transportation improvements to enhance access to Federal or non-Federal public land and recreational opportunities in critically underserved communities.

(2) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the program to assist eligible entities in the development of transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities and Federal or non-Federal public land, inland and coastal waters, parkland, and monuments.

(B) JOINT PARTNERSHIPS.—The Secretary shall encourage joint partnership projects under the program, if available, among multiple agencies, including school districts, nonprofit organizations, metropolitan planning organizations, regional transportation authorities, transit agencies, and State and local governmental agencies (including park and recreation agencies and authorities) to enhance investment of public sources.

(C) ANNUAL GRANT PROJECT PROPOSAL SOLICITATION, REVIEW, AND APPROVAL.—

(i) IN GENERAL.—The Secretary shall—

(I) annually solicit the submission of project proposals for grants from eligible entities under the program; and

(II) review each project proposal submitted under subclause (I) on a timeline established by the Secretary.

(ii) REQUIRED ELEMENTS FOR PROJECT PROPOSAL.—A project proposal submitted under clause (i)(I) shall include—

(I) a statement of the purposes of the project;

(II) the name of the entity or individual with overall responsibility for the project;

(III) a description of the qualifications of the entity or individuals identified under subclause (II);

(IV) a description of—

(aa) staffing and stakeholder engagement for the project;

(bb) the logistics of the project; and

(cc) anticipated outcomes of the project;

(V) a proposed budget for the funds and time required to complete the project;

(VI) information regarding the source and amount of matching funding available for the project;

(VII) information that demonstrates the clear potential of the project to contribute to increased access to parkland for critically underserved communities; and

(VIII) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under the program.

(iii) CONSULTATION; APPROVAL OR DISAPPROVAL.—The Secretary shall, with respect to each project proposal submitted under this subparagraph, as appropriate—

(I) consult with the government of each State in which the proposed project is to be conducted;

(II) after taking into consideration any comments resulting from the consultation under subclause (I), approve or disapprove the proposal; and

(III) provide written notification of the approval or disapproval to—

(aa) the individual or entity that submitted the proposal; and

(bb) each State consulted under subclause (I).

(D) PRIORITY.—To the extent practicable, in determining whether to approve project proposals under the program, the Secretary shall prioritize projects that—

(i) are designed to increase access and mobility to local or neighborhood Federal or non-Federal public land, inland and coastal waters, parkland, monuments, or recreational opportunities;

(ii) use low- or zero-emission vehicles;

(iii) provide free or discounted rates for low-income riders of transportation connectors;

(iv) provide opportunities for youth engagement;

(v) give employment preference to individuals living in the community in which the project is carried out;

(vi) are carried out in—

(I) a community of color;

(II) a low-income community;

(III) a Tribal or Indigenous community; or

(IV) a rural community;

(vii) would capitalize on existing established public-private partnerships; and

(viii) comply with applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(3) TRANSPORTATION PLANNING PROCEDURES.—

(A) PROCEDURES.—In consultation with the head of each appropriate Federal land management agency, the Secretary shall develop, by rule, transportation planning procedures for projects conducted under the program that are consistent with metropolitan and statewide planning processes.

(B) REQUIREMENTS.—All projects carried out under the program shall be developed in cooperation with States and metropolitan planning organizations.

(4) ADA COMPLIANCE.—The Secretary shall ensure that all new transportation connectors and routes developed under the program are accessible to people with disabilities in accordance with accessibility specifications for transportation vehicles under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(5) STAKEHOLDER ENGAGEMENT.—In carrying out the program, the Secretary shall—

(A) meaningfully engage with relevant stakeholders, particularly—

(i) impacted community members;

(ii) transportation partners;

(iii) existing potential passengers of the transportation connectors;

(iv) Indian Tribes and Tribal representatives; and

(v) faith-based and community-based organizations; and

(B) ensure that the input of the stakeholders described in subparagraph (A) is central to the determination of new transportation connectors and routes.

(6) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—The Federal share of the cost of an eligible project provided a grant under the program shall not exceed 80 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project provided a grant under the program may be in the form of in-kind contributions.

(7) ELIGIBLE USES.—Grant funds provided under the program may be used—

(A) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal and non-Federal public land, inland and coastal waters, parkland, and monuments; and

(B) to create or significantly enhance access to Federal or non-Federal public land and recreational opportunities in an urban area or a rural area.

(8) GRANT AMOUNT.—A grant provided under the program shall be—

(A) not less than \$25,000; and

(B) not more than \$500,000.

(9) TECHNICAL ASSISTANCE.—It is the intent of Congress that grants provided under the program deliver project funds to areas of greatest need while offering technical assistance to all applicants and potential applicants for grant preparation to encourage full participation in the program.

(10) PUBLIC INFORMATION.—The Secretary shall ensure that current schedules and routes for transportation systems developed after the receipt of a grant under the program are available to the public, including on a website maintained by the recipient of a grant.

(C) REPORTING REQUIREMENT.—

(1) REPORTS BY GRANT RECIPIENTS.—The Secretary shall require a recipient of a grant under the program to submit to the Secretary at least 1 performance and financial report that—

(A) includes—

(i) demographic data on communities served by the project; and

(ii) a summary of project activities conducted after receiving the grant; and

(B) describes the status of each project funded by the grant as of the date of the report.

(2) ADDITIONAL REPORTS.—In addition to the report required under paragraph (1), the Secretary may require additional reports from a recipient, as the Secretary determines to be appropriate, including a final report.

(3) DEADLINES.—The Secretary shall establish deadlines for the submission of each report required under paragraph (1) or (2).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) \$10,000,000 for each of fiscal years 2022 and 2023;

(2) \$20,000,000 for each of fiscal years 2024 and 2025; and

(3) \$40,000,000 for fiscal year 2026.

SA 2370. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 312, line 10, insert “, including with respect to power levels and charging speed, and minimizing the time to charge or refuel current and anticipated vehicles” before the semicolon at the end.